

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

April 25, 2007

NEEDLE & ROSENBERG, P.C. SUITE 1000 999 PEACHTREE STREET ATLANTA, GA 30309-3915 US

Dear Sir/Madam,

Your refund request for 10563727 in the amount of \$500.00 has been denied.

There are a total of 35 claims. Five of which are independent claims. Fees are correct.

RITA WHITE

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JAM. 23. 2007 3:339% NEEDLE & COSENBERG NO. 0513 P. 2/20

ATTORNEY DOCKET NO.: 09170.0001UI PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Pearce, et al.

Confirmation No. 1955

Application No. 10/563,727

Group Art Unit: 1618

Filing Date: January 6, 2006

Examiner: Unassigned

FOT: "METHOD AND APPARATUS FOR PROFILING CHARACTERISTICS OF MOBILE DEVICES"

SECOND REQUEST FOR REFUND

MAIL STOP 16

NEEDLE & ROSENBERG, P.C.

Commissioner for Patent P. O. Box 1450

Customer Number 23859

P. O. Box 1450 Alexandria, VA 22313-1450

January 23, 2007

Sir.

On December 8, 2006, Applicants filed a Request for Refund for the above application (attached). Applicants filed the Request for Refund with evidence showing that the \$500.00 charged to Deposit Account 14-0629 was in error (see attachments). The aforementioned refund request was never received at the U.S. Patent and Trademark Office. Applicants, therefore, submit a second refund request for the overpayment.

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	ATTORNEY,DOCKET NO. 09170,0001U1
	APPLICATION NO. 10/563,727
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In light of the above, it is respectfully re	equested that the overpayment of \$500,000 be
credited to Deposit Account No. 14-0629.	
•	Respectfully submitted
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	NEEDLE & ROSENBERG, P.C.
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	Summer C. Rosenberg Registration No. 28,753
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NO. 0513 P. 9/20

ATTORNEY POCKET NO. 09176.0001 at International Application No. PCT/GB2004/003002 EXPRESS MAIL LABEL NO. EL 997678676 US

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

 (Original) A method for profiling characteristics of a mobile device, the method comprising:

transmining test data to the mobile device over a mobile communications actwork for output by the mobile device;

providing query data to a user interface defining queries for display by the user interface, which queries concern the expected output of the test data by the mobile device; receiving response data from the user interface defining a response to the query; and storing the response data in a database.

- (Original) The method of claim 1, wherein the test data is transmitted to the mobile device using a dedicated data communications hink
- (Currently amended) The method of claim 1 or claim 2 wherein the test data is transmitted to the mobile device using a data messaging service.
- 4. (Currently amended) The method of claim 1 easy one of the proceeding claims, wherein the test data is transmitted to the mobile device substantially simultaneously to the query data being provided to the user interface.

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ATTORNET DOCKET NO. 09170.000101 Interpotional Application No. PCTVGB2004/063002 EXPRESS MAIL LABEL NO. EL 997678676 US

- (Contently amended) The method of chaim 1 any one of the preceding chains, wherein respective queries concern respective items of test data.
- 6. (Currendy amended) The method of claim 1 arrene of the meceding claims, wherein items of test data are transmitted to the mobile device in an order corresponding with an order in which the queries concerning the respective items of test data are provided for display.
- (Currendy amended) The method of chim 1 entress of the preceding claims, wherein
 respective items of test data test individual ambutes of the mobile device.
- (Currently amended) The method of claim 1 any vac of the preceding claims, wherein
 at least some items of sest data test characteristics of the display of the mobile device.
- (Currently amended) The method of claim _ entering of the preceding element, wherein
 output of at least some items of test data comprises display of the test data.
- 10. (Currently amended) The method of chim 1 any one of the proceeding chims, wherein at least some of the items of test data test communication characteristics of the mobile device.

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ATTORNEY DOCKET NO. 09170.8001u1 International Application No. PCT/GB2 004/003002 EXPRESS MAIL LABEL NO. EL 997678676 US

17. (Original) An apparatus for profiling characteristics of a mobile device, the apparatus comprising:

a network interface for transmitting test data to the mobile device over a mobile communications network for output by the mobile device;

a processor for providing query data to a user meriace for display by the orser interface, which query data defines a query concerning the expected output of the test data by the mobile device, and for receiving response data defining a response to the query from the user interface; and

a database for storing the response data.

- 18. (Original) The appearants of claim 17, wherein the network interface transmits for test data to the mobile device using a dedicated data communications link.
- 19. (Currently amended) The apparatus of claim 17 or oldin-18. wherein the network miteriace transmits the test data to the mobile device using a data messaging service.
- 20. (Convenity amended) The apparatus of claim 17 cm; one of claims 12 to 10, wherein the network interface transmits the test data to the mobile device substantially simultaneously to the processor providing query data to the user interface.
- 21. (Currently amended) The apparatus of <u>claim 17</u> any one of chains 17 to 20, wherein respective queries cancern respective items of test data.

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ATTORNÉY DOCKET NO. 09170.000101 International Application No. PCT/GB2004/003001 EXPRESS MAIL LABEL NO. EL 997678676 US

- 2). .(Carrendly amended) The apparatus of claim 17 eur one of claims 17 or 21, wherein the network interface transmits mems of test data to the mobile device in an order corresponding with an order in which the queries concerning the respective items of test data are provided for display.
- (Currently amended) The apparatus of claim 12 easy one of claims 12 to 23. Wherein
 respective items of test data test individual attributes of the mobile device.
- 24. (Currently amended) The apparatus of claim 17 ames of claims 17 to 25, wherein at least some items of test data test characteristics of the display of the mobile device.
- 25. (Currently amended) The apparatus of claim II express of claims II to 24, wherein output of at least some items of ten data comprises display of the test data.
- 26. (Currently amended) The apparatus of claim 17 early one of claims 17 to 25, wherein at least some of the items of test data test communication characteristics of the mobile device.
- 27. (Currently amended) The apparatus of claim 17 are; one of claims 12 to 26, wherein output of at least some items of test data comprises transmission of data over the mobile telecommunications network.

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ATTORYEV DOCKET NO. 09170.000101 International Application No. PCT/GB2002/008002 EXPRESS MAIL LABEL NO. EL 997678676 US

35. (Canceled) An apparatus for profiling the characteristics of a mobile device substantially as described with reference to any of the accompanying drawings.

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ATTORNEY DOCKST NO. 09170.0001u1 luternational application No. PCT/GB2064/003002 EXPRESS MAIL LABEL NO. EL 997678076 US

ABSTRACT

A method for profiling characteristics of a mobile device comprises transmitting test data to the mobile device over a mobile telecommunications network for output by the mobile device; providing query data to a user interface defining queries for display by the user interface, which queries concern the expected output of the test data by the mobile device; tecciving response data from the user interface defining a response to the query, and storing the response data in a database.

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